

IN THE HIGH COURT OF UTTARANCHAL AT NAINITL
Writ Petition No. 541 of 2001 (M/B)

Adarsh Gur Khandsari Audhyogik Utpadan Sahakari Samiti Ltd.,
Rohali, Kishanpur, District Haridwar,
Through its President
Sir Kailash Chand. Petitioner.

Versus

1. Collector,
Haridwar.
2. Uttar Pradesh Khadi Gram Udyog Board,
Lucknow,
Through Its Chief Executive Officer
3. District Village Industries Officer,
Haridwar.

..... Respondents

Mr. Rajendra Dobhal, Advocate for the petitioner.
Mr. J.P. Joshi, Addl. Chief Standing Counsel for respondents Nos. 1 & 3.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. M.M. Ghildiyal, J.

RAJEEV GUPTA, C.J.

Heard Mr. Rajendra Dobhal, Advcate for the petitioner and Mr. J.P. Joshi, Addl. Chief Standing Counsel for respondents Nos. 1 and 3.

2. The petitioner has filed this writ petition for the following reliefs:

“1. Issue a writ of certiorari quashing the citation dated 26.07.2000.

2. Issue a writ of mandamus directing the respondent to decide the rehabilitation proposal pending before the respondent no. 2 relating to the petitioner.

3. Mandamus commanding the respondent not to charge 10% as collection charge from the petitioner society a writ of mandamus.

3. In the counter affidavit filed on behalf of respondents Nos. 1 and 3, it has categorically been stated in para 14 that the proposal of the petitioner for rehabilitation was recommended and sent to Director

(Gur Evam Khandsari), Gram Udyog Ayog, Bombay by respondent No. 2, but as the petitioner did not provide necessary information regarding the plan to re-establish his business and due to non-cooperation of the petitioner, the proposal of the petitioner was not decided.

4. That the petitioner has taken loan from second respondent Uttar Pradesh Khadi Gram Udyog Board and that the petitioner committed default in the repayment of loan, are not disputed by the petitioner. For the grievance of the petitioner that the respondents did not consider petitioner's proposal for rehabilitation, the petitioner, himself, is to be blamed, as he did not furnish the requisite information.

5. In this view of the matter, we do not find any ground for quashing the recovery citation (Annexure 7) dated 26.07.2000.

6. The writ petition, therefore, fails and is, hereby, dismissed.

(M.M.Ghildiyal, J.)
23.02.2006

(Rajeev Gupta, C.J.)
23.02.2006

G